

Rule Impact Statement
Title 75. Attorney General
Chapter 55. State Long-Term Care Ombudsman Program

Permanent Rules under OKLA. ADMIN. CODE § 75:55

This Rule Impact Statement has been prepared pursuant to 75 O.S.Supp.2025, § 303(D)(1).

I. Statement of need and legal basis

In accordance with title 63, section 1-2216(A) (Supp. 2024) of the Oklahoma Statutes, the proposed rules are necessary to implement the Long-Term Care Ombudsman Act.

II. Classification of the rule(s) and justification for classification.

The Office of the Attorney General classifies the proposed permanent rules as nonmajor as they are not intended to require additional implementation and compliance costs. To the extent that there may be annual implementation and compliance costs associated with these new rules, the Attorney General believes that they will be de minimis if not zero.

III. Description of the proposed rule(s).

The proposed rules amending Chapter 55 include correction of grammatical errors; addition of definition for the State Department of Health; elimination of unnecessary or duplicative language in other definitions and in other sections; re-organization of the grievance filing procedure for readability; removal of the right to a hearing on grievances; elaboration on the allowable forms of consent to the disclosure of records and who may provide consent to disclosure; lengthening of the amount of time from five to ten business days that an ombudsman must initiate a face-to-face contact with a complaining resident; increasing the number of days to initiate face-to-face contact from three to five business days in instances where abuse, neglect, or exploitation is alleged; permission for ombudsman staff to use electronic communications to respond to or resolve complaints; requirement on a sponsoring agency's governing board members to annually sign a conflict of interest form unless the governing board is advisory only and does not have any control or oversight over the sponsoring agency; prohibition on any designated ombudsman from providing direct care, transportation, or services to a long-term care resident that may be construed as fiduciary in nature; elimination an unnecessary reference to the Department of Human Services; elimination a specific number for a form used by the LTCO; clarification or specification that volunteers must receive thirty-six hours of training rather than attend a "two-day" training; and prohibition on ombudsman volunteers from serving a long-term care resident in a fiduciary capacity.

The proposed rules are not mandated by federal law or required for participation in or implementation in a federally subsidized or assisted program. Because the proposed rules have no federal equivalent, they do not exceed any federal law requirements.

IV. Description of the classes of persons who most likely will be affected by the proposed rule(s), including classes that will bear the costs of the proposed rule(s), and any information on cost impacts received by the agency from any private or public entities.

The proposed rules may affect patients under the care of long-term care facilities and their families.

V. Description of the classes of persons who will benefit from the proposed rule(s).

The proposed rules will benefit area agencies on aging, ombudsman volunteers, and staff of the State Long-Term Care Ombudsman.

VI. Comprehensive analysis of the rules' economic impact.

The proposed rules will have a neutral economic impact on the agency, affected classes, affected businesses, business sectors, public utility ratepayers, individuals, state or local government entities, and the state economy as a whole. No fee changes are proposed.

At this time, the Office of the Attorney General does not anticipate negative impacts or increases to the number of full-time employees, an increase in costs or benefits. Further, as stated above, any implementation and compliance costs, as defined by title 75, section 250.3(8) of the Oklahoma Statutes, on affected businesses, business sectors, public utility ratepayers, individuals, state or local government units, and state economy as a whole are either zero or de minimis.

VII. Detailed explanation of methodology and assumptions used to determine the economic impact.

Considering the anticipated neutral economic impact of these proposed rules, the Office of the Attorney General did not utilize any specific methodology or assumptions to determine the proposed rules' economic impact.

VIII. Determination of whether implementation of the proposed rule(s) will have an economic impact on any political subdivisions or require their cooperation in implementing or enforcing the rule(s).

Implementation of the proposed rules will not have a negative economic impact on any political subdivisions or require their cooperation in the implementation of the rules.

- IX. Determination of whether implementation of the proposed rule(s) may have an adverse economic effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act.**

Implementation of the proposed rules will not have an adverse impact on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act, 75 O.S.2021, §§ 501–507.

- X. Measures taken to minimize the cost and impact of the proposed rule on business and economic development in this state, local government units of this state, and individuals.**

Considering the anticipated neutral economic impact of these rules, no measures were necessary to minimize the cost and impact of the proposed rules on business and economic development in this state, local government units of the State, and individuals.

- XI. Determination of the effect of the proposed rule(s) on the public health, safety and environment and, if the proposed rule(s) is/are designed to reduce significant risks to the public health, safety and environment, an explanation of the nature of the risk and to what extent the proposed rule will reduce the risk.**

The proposed rules will enhance the public health by giving the Office of the State Long-Term Care Ombudsman more flexibility in handling complaints.

- XII. Determination of any detrimental effect on the public health, safety and environment if the proposed rule(s) is/are not implemented.**

Any detrimental effect of the proposed rules on public health, safety, and the environment if the proposed rules are not implemented is currently unknown or speculative.

- XIII. Analysis of Alternatives to Adopting the Rule(s)**

Considering the definition of “rule” in title 75, section 250.3(20) (Supp. 2025) of the Oklahoma Statutes, there is no alternative to adopting the rule.

- XIV. Estimated Time Spent by State Employees to Develop Rule and Other Resources Used in Developing Rule**

The Office of the Attorney General estimates that less than three hours were spent in developing the rules.

- XV. Summary and Preliminary Comparison of Any Existing or Proposed Federal Regulations Intended to Address the Activities to be Regulated by Proposed Administrative Rules**

Existing federal regulations on point only specify the minimum components of a grievance process and state programs under 45 C.F.R. Part 1324. As a result, the

State Long-Term Care Ombudsman must develop processes and rules to implement the State's program

XVI. Date the rule impact statement was prepared and if modified, the date modified.

The Oklahoma Office of the Attorney General prepared this rule impact statement on November 24, 2025.